



COPY OF PAPERS  
ORIGINALLY FILED

ATTORNEY DOCKET NO. 50050/002004

#14  
appeal  
\$160.00  
PATENT  
AUG 29 2002  
TECH CENTER 1600-3900  
RECEIVED

Certificate of Mailing: Date of Deposit: August 21, 2002

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

Tracey Simmons

Printed name of person mailing correspondence

*Tracey Simmons*

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Don Straus

Art Unit: 1634

Serial No.: 09/333,110

Examiner: J. Einsmann

Filed: June 15, 1999

Customer No: 21559

Title: GENOMIC PROFILING: A RAPID METHOD FOR TESTING A  
COMPLEX BIOLOGICAL SAMPLE FOR THE PRESENCE OF  
MANY TYPES OF ORGANISMS

Assistant Commissioner For Patents  
Washington, DC 20231

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES UNDER 37 C.F.R. §1.191

Applicant respectfully appeals to the Board of Patent Appeals and Interferences from the decision dated February 21, 2002 of the Examiner twice rejecting claims 1-20, 47-54 and 58-60.

Enclosed pursuant to 37 C.F.R. § 1.136 is a petition to extend the time to respond to the second rejection for three months, to and including August 21, 2002.

Also enclosed is a check in the amount of \$160.00 for the fee required by 37 C.F.R. § 1.17(b) for this Notice of Appeal.

08/28/2002 AWONDAF1 00000174 09333110

01 FC:219

160.00 DP

If there are any charges, or any credits, please apply them to Deposit Account No.

03-2095.

Respectfully submitted,

Date: August 21, 2002

Susan M. Michaud  
Paul T. Clark      Susan M. Michaud  
Reg. No. 30,162      Reg. No. 42,885

Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045

\\CLARK-W2K1\documents\50050\50050.002001 NOA.wpd



21559

PATENT TRADEMARK OFFICE

RECEIVED  
AUG 29 2002  
TECHCENTER 1600/2900